

MJF:BWB

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-09-1041

- - - - - X

UNITED STATES OF AMERICA

- against -

*Affidavit in support
of arrest warrant*
COMPLAINT

ANGEL MALDONADO,

(18 U.S.C. § 1201(a)(1))

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

Edward Wilkowski being duly sworn, affirms and states that he is a Detective with the New York City Police Department duly appointed according to law and acting as such.

Upon information and belief, on or about November 13, 2006, within the Eastern District of New York, the defendant ANGEL MALDONALDO, together with others, did knowingly, intentionally and unlawfully seize, confine, kidnap, abduct and carry away a person, to wit: John Doe #1, and did use a facility of interstate and foreign commerce, to wit: a cellular telephone, in committing or in furtherance of the commission of the offense.

(Title 18, United States Code, Sections 1201(a)(1))

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

¹ Because the purpose of this affidavit is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Detective with the NYPD, duly appointed according to law and acting as such. I have been a Detective with the NYPD for approximately 19 years. I am currently assigned to the Queens Homicide Squad.

2. The facts set forth in this affidavit are based in part on information that I have learned through various interviews I have conducted of cooperating witness, eye-witnesses and from the review of written documents prepared by, and conversations with, other law enforcement officials, including members of the Federal Bureau of Investigation. Unless otherwise noted, I have not distinguished between those facts of which I am personally aware and those that have been provided to me by other law enforcement officers.

3. On November 14, 2006, officers from the New York City Police Department's 106th Precinct in Ozone Park, Queens responded to a report of a possible dead body in the vicinity of 78th Street and Dumont Avenue. When they arrived at the location, they found an individual, hereinafter referred to as John Doe #1, lying on his side in the street. John Doe #1 had been shot once in the head. He was gagged and his hands and feet were bound. In addition to the gunshot wound, John Doe #1 had numerous lacerations on his head, legs and buttocks and several

of his fingers were broken.^{2/} Police also discovered a single .44 caliber shell casing and a pillow near the body.

4. Later that day, based on information obtained from John Doe #1's wife, NYPD officers conducted a search of an apartment located on Arlington Avenue in East New York, Brooklyn, New York, pursuant to a search warrant (hereinafter, the "apartment" or the "Arlington apartment"). The apartment appeared to have been abandoned. Inside the apartment officers found duct tape, wire, a computer, an unlocked and empty safe, a chisel, a cigarette and a towel covered with blood. The apartment was used principally as a narcotics stash house by Richard Gilliam.

5. Since late 2002, FBI Agents in New York City have been investigating the drug trafficking activities of Gilliam, also known as "Man" and "Buju." This investigation has revealed that Gilliam supplied local dealers with large quantities of marijuana and smaller quantities of cocaine base (commonly referred to as "crack") for re-sale and distribution. Gilliam was assisted in his drug trafficking by others.

6. In connection with their investigation of Richard Gilliam and his associates, FBI agents have been assisted by a confidential source (hereinafter CW #1). CW #1 has pleaded

² The autopsy report confirmed that John Doe #1 died from a gunshot wound to the head.

guilty to various federal felonies pursuant to a cooperation agreement and has provided information, inter alia, concerning the murder of John Doe #1.

7. CW #1 was a drug partner of Gilliam for many years. According to CW #1, on November 13, 2006, Gilliam contacted him on the telephone. Gilliam told CW #1 that he had just "grabbed somebody" that was trying to rob him of drugs and that he was holding the man at the Arlington apartment. Gilliam asked CW #1 to come to the Arlington apartment to act as a look-out because Gilliam saw two people outside his residence that he suspected were the robber's accomplices. CW #1 and a friend drove to the Arlington apartment.

8. When CW #1 arrived outside the Arlington apartment, he called Gilliam on the phone and advised him that he saw two men he believed to be the robber's accomplices in a truck that had just circled the block. CW #1 then observed Gilliam and the defendant ANGEL MALDONADO walk a man out of the Arlington apartment building and put him into the back seat of a black truck.^{3/}

9. According to CW #1, later that evening, Gilliam came to CW #1's residence and admitted to CW #1 that he, Gilliam,

³ In August 2007, a search was conducted of a black Chevrolet Avalanche truck pursuant to a court-authorized search warrant. The search revealed traces of a mixture of human blood in the rear seat area, however, DNA tests comparing that mixture to blood from John Doe #1 were inconclusive.

"did him."^{4/}

10. In September 2008, investigators approached the defendant ANGEL MALDONADO about his knowledge and involvement in the murder of John Doe #1. MALDONADO ultimately agreed to cooperate with investigators and admitted to his own role in the murder. Specifically, MALDONADO told investigators, in sum and substance and in part, that John Doe #1 had robbed Gilliam on a previous occasion at the Arlington Apartment, stealing jewelry, cash and large amounts of marijuana. On November 13, 2006, Gilliam discovered that John Doe #1 had come to his apartment building to rob him again, and he contacted several of his associates, including MALDONADO, for assistance. According to MALDONADO, when he arrived at the Arlington apartment, he saw John Doe #1 lying in wait in a stairwell. John Doe #1 jumped on MALDONADO, striking his head with a gun. The two fought and MALDONADO eventually subdued John Doe #1.

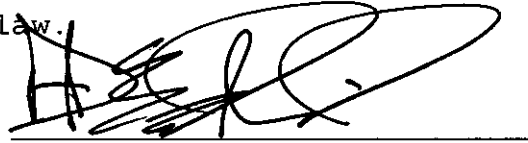
11. According to MALDONADO, he and Gilliam brought John Doe #1 into the Arlington apartment at gunpoint, bound him

⁴ On November 20, 2006, less than a week after the murder of John Doe #1, DEA Agents and other law enforcement officers stopped Gilliam on a train traveling with a one-way ticket from New York to California. After receiving Gilliam's consent to search his luggage, agents recovered approximately \$16,930.00 in cash. A canine conducting a sniff search of the money alerted positive for the presumptive presence of a narcotic odor. Gilliam explained that he handled the money after smoking marijuana. The DEA seized the \$16,930.00, and it was never claimed.

with electrical cord and wire and duct-taped his mouth. Both Gilliam and MALDONADO contacted additional people by telephone and asked them to come to the Arlington apartment. Over the next few hours, Gilliam, MALDONADO and Gilliam's associates beat John Doe #1 and broke several of his fingers in an attempt to learn with whom John Doe #1 planned the robberies. Eventually, Gilliam, MALDONADO and their accomplices led John Doe #1 out of the Arlington Apartment and into a waiting Chevrolet Avalanche truck, in which additional accomplices were waiting. Both Gilliam and MALDONADO were armed with firearms.

12. Gilliam, MALDONADO and others drove to a desolate, dead-end street, adjacent to a vacant lot in Queens, New York. There, Gilliam pulled John Doe #1 out of the car, retrieved a firearm from MALDONADO and shot John Doe #1 once in the head. Gilliam left John Doe #1's body lying near the vacant lot.

WHEREFORE, your affiant respectfully requests that a warrant for the arrest of defendant ANGEL MALDONADO issue so that he may be dealt with according to law.

A handwritten signature in black ink, appearing to read 'H. Wilkowski', written over a horizontal line.

EDWARD WILKOWSKI
Detective, NYPD

Sworn to before me this
23rd day of October, 2009

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK